

031004

22763 U.S. PTO

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. SAM1.PAU.14E

First Inventor Humpleman, et al.

Title METHOD AND APPARATUS FOR A
HOME

Express Mail Label No. EV319437405US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification 37 Total Pages
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets 19]

5. Oath or Declaration [Total Pages 3]
 a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63 (d))
 (for continuation/divisional with Box 18 completed)
 i. **DELETION OF INVENTOR(S)**
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. Computer Readable Form (CRF)

b. Specification Sequence Listing on:
 i. CD-ROM or CD-R (2 copies); or
 ii. paper

c. Statements verifying identity of above copies

22386 U.S. PTO
10/797700

031004

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney

11. English Translation Document (if applicable)

12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: 09,104,297Prior application information: Examiner: W. Bashore Group Art Unit: 2176For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	(Insert Customer No. or Attach barcode label here)		<input type="checkbox"/> or <input checked="" type="checkbox"/> Correspondence address below
--	--	--	--

Name	Kenneth L. Sherman		
Address	Myers Dawes Andras & Sherman LLP 19900 MacArthur Blvd, Eleventh Floor		
City	Irvine	State	CA
Country	USA	Telephone	(949) 223-9600
Zip Code	92612		
Fax	(949) 223-9610		

Name (Print/Type)	Kenneth L. Sherman	Registration No. (Attorney/Agent)	33,783
Signature			Date 3/10/04

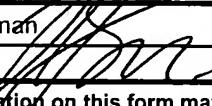
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

22763
031004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004		Complete if Known	
Effective 10/01/2003. Patent fees are subject to annual revision.		Application Number	Not yet assigned
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	Herewith
TOTAL AMOUNT OF PAYMENT (\$ 860.00)		First Named Inventor	Humpleman, et al.
		Examiner Name	Not yet assigned
		Art Unit	Not yet assigned
		Attorney Docket No.	SAM1.PAU.14E

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																						
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: <div style="border: 1px solid black; padding: 2px; display: inline-block;">01-1960</div> <div style="border: 1px solid black; padding: 2px; display: inline-block;">MYERS DAWES ANDRAS & SHEI</div>		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th colspan="2"></th> </tr> <tr> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td></tr> </tbody> </table>		Large Entity	Small Entity			Fee Code (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	1053	130	1053	130	Non-English specification	1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	420	2252	210	Extension for reply within second month	1253	950	2253	475	Extension for reply within third month	1254	1,480	2254	740	Extension for reply within fourth month	1255	2,010	2255	1,005	Extension for reply within fifth month	1401	330	2401	165	Notice of Appeal	1402	330	2402	165	Filing a brief in support of an appeal	1403	290	2403	145	Request for oral hearing	1451	1,510	1451	1,510	Petition to institute a public use proceeding	1452	110	2452	55	Petition to revive - unavoidable	1453	1,330	2453	665	Petition to revive - unintentional	1501	1,330	2501	665	Utility issue fee (or reissue)	1502	480	2502	240	Design issue fee	1503	640	2503	320	Plant issue fee	1460	130	1460	130	Petitions to the Commissioner	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	1806	180	1806	180	Submission of Information Disclosure Stmt	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	1801	770	2801	385	Request for Continued Examination (RCE)	1802	900	1802	900	Request for expedited examination of a design application
Large Entity	Small Entity																																																																																																																																																							
Fee Code (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																				
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																				
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																				
1053	130	1053	130	Non-English specification																																																																																																																																																				
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																				
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																				
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																				
1251	110	2251	55	Extension for reply within first month																																																																																																																																																				
1252	420	2252	210	Extension for reply within second month																																																																																																																																																				
1253	950	2253	475	Extension for reply within third month																																																																																																																																																				
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																				
1255	2,010	2255	1,005	Extension for reply within fifth month																																																																																																																																																				
1401	330	2401	165	Notice of Appeal																																																																																																																																																				
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																				
1403	290	2403	145	Request for oral hearing																																																																																																																																																				
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																				
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																				
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																				
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																				
1502	480	2502	240	Design issue fee																																																																																																																																																				
1503	640	2503	320	Plant issue fee																																																																																																																																																				
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																				
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																				
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																				
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																				
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																				
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																				
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																				
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																				
1. BASIC FILING FEE <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th colspan="2"></th> </tr> <tr> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> <th colspan="2">Fee Description</th> </tr> </thead> <tbody> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Utility filing fee</td><td style="text-align: right;">770.00</td></tr> <tr><td>1002</td><td>340</td><td>2002</td><td>170</td><td>Design filing fee</td><td></td></tr> <tr><td>1003</td><td>530</td><td>2003</td><td>265</td><td>Plant filing fee</td><td></td></tr> <tr><td>1004</td><td>770</td><td>2004</td><td>385</td><td>Reissue filing fee</td><td></td></tr> <tr><td>1005</td><td>160</td><td>2005</td><td>80</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table>		Large Entity	Small Entity			Fee Code (\$)	Fee Code (\$)	Fee Description		1001	770	2001	385	Utility filing fee	770.00	1002	340	2002	170	Design filing fee		1003	530	2003	265	Plant filing fee		1004	770	2004	385	Reissue filing fee		1005	160	2005	80	Provisional filing fee		SUBTOTAL (1) (\$ 770.00)																																																																																																																
Large Entity	Small Entity																																																																																																																																																							
Fee Code (\$)	Fee Code (\$)	Fee Description																																																																																																																																																						
1001	770	2001	385	Utility filing fee	770.00																																																																																																																																																			
1002	340	2002	170	Design filing fee																																																																																																																																																				
1003	530	2003	265	Plant filing fee																																																																																																																																																				
1004	770	2004	385	Reissue filing fee																																																																																																																																																				
1005	160	2005	80	Provisional filing fee																																																																																																																																																				
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2"></th> <th style="text-align: center;">Extra Claims</th> <th style="text-align: center;">Fee from below</th> <th style="text-align: center;">Fee Paid</th> </tr> <tr> <th>Total Claims</th> <td style="text-align: right;">25</td> <td style="text-align: right;">-20** =</td> <td style="text-align: right;">5</td> <td style="text-align: right;">X 18 =</td> <td style="text-align: right;">90</td> </tr> <tr> <th>Independent Claims</th> <td style="text-align: right;">2</td> <td style="text-align: right;">- 3** =</td> <td style="text-align: right;">0</td> <td style="text-align: right;">X 86 =</td> <td style="text-align: right;">0</td> </tr> <tr> <th>Multiple Dependent</th> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Extra Claims	Fee from below	Fee Paid	Total Claims	25	-20** =	5	X 18 =	90	Independent Claims	2	- 3** =	0	X 86 =	0	Multiple Dependent												SUBTOTAL (2) (\$ 90.00)																																																																																																																									
		Extra Claims	Fee from below	Fee Paid																																																																																																																																																				
Total Claims	25	-20** =	5	X 18 =	90																																																																																																																																																			
Independent Claims	2	- 3** =	0	X 86 =	0																																																																																																																																																			
Multiple Dependent																																																																																																																																																								
*or number previously paid, if greater; For Reissues, see above		Reduced by Basic Filing Fee Paid																																																																																																																																																						
		SUBTOTAL (3) (\$ 0.00)																																																																																																																																																						

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Kenneth L. Sherman	Registration No. (Attorney/Agent)	33,783
Signature		Telephone	949/223-9600
		Date	3/10/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CASE NO. SAM1.PAU.14.E

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Richard Humpleman, et al.)
)
Serial No.: Not yet assigned)
(Divisional of 09/104,297))
)
Filed: Herewith)
) March 10, 2004
Mark: METHOD AND APPARATUS FOR)
A HOME NETWORK AUTO-TREE) Irvine, California 92612
BUILDER)
)
)

TRANSMITTAL OF STATEMENT UNDER 37 CFR 3.73 (b)

Mail Stop Divisional Patent Application
Assistant Commissioner Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant herewith submits the attached Revocation and Substitution of Power of Attorney as its Statement required under 37 CFR 3.73(b). This Revocation was filed in a related application which is currently under examination.

Respectfully Submitted,
MYERS DAWES ANDRAS & SHERMAN

Kenneth L. Sherman, Esq.
Reg. No. 33,783
19900 MacArthur Blvd., 11th Floor
Irvine, California 92612
Tel: (949) 223-9600

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that this paper of fee is being deposited with the United States Postal Service on this date: 3-10-04, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV 31943740805 addressed to the: Mail Stop Design Application, Commissioner for Patents, Alexandria, VA 22313-1450.

EVERLY M. SHERMAN
(Type or print name of person mailing paper)
R:\M-Z\SAM1\SAM1.PAU.14.E\Statement-trans.doc

Fully
(Signature of person mailing paper)